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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of our fathers and mothers, Your mighty hand has brought our Nation to this moment in its destiny. Lead our lawmakers to do Your will. Help them to see that You desire them to do justly, to love mercy, and to embrace humility. Remind them that You came to our world to bring deliverance to captives, to help the spiritually blind, and to comfort the bruised. May our Senators produce legislation that reflects Your priorities. As they remember that You are more impressed with their integrity than the eloquence of their debates, inspire them to look to You for strength and wisdom. Guide them by Your light so that their lives reflect Your purposes.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 3, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will resume consideration of the appropriations bill H.R. 1105. The time until 11:45 will be equally divided and controlled between Senators INOUE and MCCAIN. At 11:45, the Senate will vote in relation to the McCain amendment. The Senate will recess from 12:30 until 2:15 for the weekly caucus luncheons. There is almost no question that additional rollcall votes will be expected throughout the day as we work through amendments on this bill. After we do the McCain amendment, I know Senator WICKER was here yesterday on an issue in which he believes strongly. I think that would be a good one to lay down. Senator COBURN has four amendments. They have not been drafted. We have asked him to make sure they are drafted as soon as possible so we can work our way through those.

Senator THUNE has an amendment he wants to offer. This is on the fairness doctrine. Senator VITTER has an amendment dealing with abortion or matters related thereto. We should get to that.

I have spoken to one of the Republican Senators yesterday and that Senator is wanting to offer an amendment to cut the spending of this appropriations bill to President Bush's budget

levels. We would hope that could be laid down soon. That is an important amendment for the minority and certainly one that deserves debate.

That is a brief overview of some of the amendments I know are there and we should get to as soon as we can.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

OMNIBUS APPROPRIATIONS

Mr. MCCONNELL. Madam President, I listened to the majority leader. He did have a pretty good summary of the amendments we are aware of at the moment, all of which are significant. It is good that we will have a chance to get a vote on most or all of those.

During his campaign, the President said he would not sign any non emergency spending until the American people had at least 5 days to review it on the White House Web site.

So there is no reason for us to rush through this Omnibus appropriations bill when the White House has already promised it won't sign it without the requisite 5-day review.

Besides, we have known about the Friday deadline for months so any pressure to rush this bill is completely manufactured.

The responsible way forward is not to rush through another giant bill, but for the House to prepare a short-term CR so we have time to study and debate the Omnibus on the floor.

Back in January, Republicans urged the President to move the Omnibus before the stimulus. It is now obvious why.

The Omnibus contains funds for 122 programs that were already funded in the stimulus. It also represents an 8 percent increase over last year's regular appropriations, twice the rate of inflation.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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What all this means is that at a time when most Americans are tightening their belts, Washington is going out and buying a bigger one.

Just consider the deficit. When we passed the last CR, the deficit was \$460 billion. In January, the CBO estimated this year's deficit would be \$1.2 trillion. Now after the past month, we expect the deficit to be \$1.6 trillion.

Now consider some of the recent spending we have done or are contemplating doing around here. Some of us are still dizzy from the \$1 trillion stimulus. We are trying to conceptualize the \$3.6 trillion budget the President sent us last week. We are bracing for the potentially quarter-trillion housing plan that goes into effect tomorrow, and we are thinking about the \$1 to \$2 trillion we expect to be asked to spend on the financial sector.

So we won't be rushed to spend another \$410 billion without the requisite review.

We need to slow down and make sure the American people understand how we intend to spend their tax dollars. The Omnibus is a massive bill that demands our close attention.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

OMNIBUS APPROPRIATIONS

Mr. DURBIN. Madam President, I wish to address some of the comments made by the Republican leader.

First, the bill that is being considered was on the official public Web site of the House of Representatives a week ago. It has been available for at least that period of time. As a member of the Senate Appropriations Committee, most of the contents of what we are considering were passed by the committee last year in October and November. To argue that this is a surprise is wrong. It has been available for scrutiny, for review, for a long period. That is why many of us believe we should move forward with it as quickly as possible.

Second, this argument that the stimulus, which was supposed to be additive, to put money into the economy that otherwise would not go into the economy, is a reason not to pass this bill is to ignore the obvious. This bill funds the Government. This bill makes certain that when it comes to the Departments of Agriculture, Commerce, Justice, Energy, related issues, financial services, Interior, Labor, EPA, State Department, Transportation, Homeland Security, and so many others, we are going to provide for the basic appropriations and budgets for these agencies.

I understand—I hope all Senators understand—that these agencies need to do their work, whether or not the econ-

omy is strong. We need to be putting this money into these agencies to continue their ordinary business. That is essential.

I also am troubled every day to hear a chorus from the Republican side of the aisle about deficits. Let's remember the facts. When President Bill Clinton left office, he had managed to balance the budget each year for 3 years. He left to President George W. Bush a surplus. At that point, the debt of the United States, accumulated from the beginning of the Republic until that moment, was about \$5 trillion. President George W. Bush was handed an economy that was strong, a budget surplus, and a national debt of \$5 trillion. Eight years later, we all know the state of the economy. We certainly know that the national debt under George W. Bush doubled. It went from \$5 to \$10 trillion in a matter of 8 years.

We know what happened. When it came to the budgets, the Republicans and President Bush decided they would use a little sleight of hand. Do you know how much money was included in the budgets of President Bush for the wars in Iraq and Afghanistan? The answer is zero. Every year they would take the cost of these wars off the budget and say: It is emergency spending so we are not going to budget for it. So not only did they double the national debt, not only did they drive us deeply into deficit each year, they did it in a way that most of us would agree was at least concealment, instead of being honest and open with the people.

Now comes President Obama, inherits an economic recession, the likes of which this country has not seen for 75 years. He says we have to move and move quickly with the stimulus package. In 3 weeks and 2 days after being sworn in as President, he passes it, thanks to three Republican Senators who finally would join with us in moving forward to do something about the economy rather than only complain. Then he says we need to pass the ordinary budget which was not passed under the previous administration. That is what this bill is.

I urge colleagues to take a look at this as undone business from the previous administration and the previous Congress that we have to get done this week while the temporary spending measures for our Government continue.

Mr. DORGAN. Will the Senator yield for a question?

Mr. DURBIN. I am happy to yield.

Mr. DORGAN. The minority leader indicated somehow or suggested that this is some new information, some large piece of legislation brought to the floor of the Senate without much scrutiny. Isn't it the case that the appropriations bills that are included in this omnibus were passed out of each individual subcommittee of the Appropriations Committee, most of them worked on for months, then passed out of the subcommittee, and then worked on in the full committee and, in most

cases, passed unanimously by Republicans and Democrats? This is the normal funding of Federal agencies that should have been done last year. It wasn't, for a lot of reasons. It is now being packaged into an omnibus bill to get done. But the ingredients of that bill are not something new.

Isn't it the case that most of these individual bills were passed in a bipartisan basis, many of them unanimously, after having been worked on for some months? There is nothing strange in here, is there?

Mr. DURBIN. In response to the Senator from North Dakota through the Chair, he is a fellow member of the Appropriations Committee. He has described the process exactly. The small, relatively small appropriation which I manage in the Senate Appropriations Committee includes a plus up, an increase in the funding for several key agencies, one of which is the Securities and Exchange Commission. If one watched "60 Minutes" on Sunday night and heard about Bernard Madoff and criticisms of the SEC dropping the ball, not hearing the whistle being blown, we have to change that. We have to make sure the SEC is a regulatory agency that has the resources it needs to deal with an ever-expanding area of jurisdiction. The same thing is true for the Commodities Futures Trading Commission which also deals with futures and derivatives and the like. We have to make certain they have resources, and they have an increase in this budget to be the policemen on the beat. I put money in there as well for the Consumer Product Safety Commission. It was not that long ago we were frightened by the prospect of lead toys that might endanger our children. This agency is finally growing into the 21st century responsibility it has.

These are areas where we have increased funding so that government can be vigilant and helpful and we can avoid economic disasters so that investors' and savers' money can be carefully reviewed.

This was all debated in the subcommittee. It was brought forward in the full committee. In most cases it received full committee review months ago. Today we are trying to get the homework we should have done last year done and moved forward. We have so many important things to do.

I will speak for a minute or two more, if I may, on a related issue.

Mr. DORGAN. I wonder if the Senator from Illinois will excuse me and respond to an additional question.

Mr. DURBIN. I am happy to.

Mr. DORGAN. The point that is going to be discussed on the floor today and this week on this appropriations bill is very important. I just received the votes on the individual bills that have now been packaged together. If I might read them, the appropriations bill for Agriculture, with the U.S. Department of Agriculture, nutrition programs, farm programs, and so on, passed 29 to